



May 8, 2023

Jon D. Rubin
Assistant General Manager and General Counsel
Westlands Water District
3130 N. Fresno Street
P.O. Box 6056
Fresno, CA 93703-6056

Re: Executive Order N-7-22: Request for Proposed Activities to be Conducted Under Suspension

Dear Mr. Rubin,

I am responding to your letter dated May 1, 2023, in which you request my determination that activities described in that letter are eligible to be conducted under a suspension of laws provided in paragraph 5 of Executive Order N-7-22 (March 28, 2022). Among other things, Executive Order N-7-22 suspends Public Resources Code, Division 13 (commencing with section 21000) and regulations adopted pursuant to that Division under specified circumstances. Specifically, projects may operate under that suspension where the Secretary of the Natural Resources Agency determines that the proposed activities are eligible to be conducted under this suspension, taking into account the purpose of accelerating conservation projects that are necessary to address impacts of the drought, while at the same time protecting public health and the environment. In your letter, you describe the Westlands Water District's commitment to acquiring and permanently following 843.52 acres of land, 626.58 acres of which are planted in almonds and grapes.

Because the activities described in your letter will reduce demands for surface and groundwater, I find that this project is eligible to be conducted under Executive Order N-7-22, provided that this finding is conditioned on the commitments described in your letter to not irrigate the land and, if the land is sold, to impose a non-irrigation covenant and sever from the lands the right to an allocation of District water supplies and overlying groundwater rights.

Please note that this suspension does not alter any other requirements imposed by any other law, and any material modification of or departure from the project described in your letter may independently trigger obligations under Division 13 (commencing with section 21000) of the Public Resources Code and regulations adopted pursuant to that Division.

Sincerely,

A handwritten signature in black ink that reads "Wade Crowfoot".

Wade Crowfoot
Secretary for Natural Resources

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